

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

RECEIVED  
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UNITED STATES OF AMERICA )

v. )

ROY TERRY )

) CASE NO. 3:05-CR-00141-MEF-CSC  
)  
)

**MOTION TO DELAY  
COLLECTION OF RESTITUTION**

COMES NOW the Defendant, by and through counsel, and files this Motion to Delay Collection of Restitution until released from custody and states the following:

1. The Defendant is presently incarcerated in the Talladega Correctional Facility at Talladega, Alabama.
2. An Order for restitution was entered in this case at sentencing.
3. The Defendant has no liquid assets to make any restitution payments.
4. The Defendant's wife is disabled and, except for her Social Security disability check, has no income.
5. Increase in restitution payments decreases the Defendant's ability to assist his wife.

WHEREFORE, the Defendant respectfully requests that the Court enter an order which allows the delay of the collection of any restitution until the Defendant is released from custody and re-enters the workforce.

Respectfully submitted this the 21<sup>st</sup> day of February, 2007.

**CAPELL & HOWARD, P.C.**

By: George L. Beck, Jr.  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true copy of the foregoing instrument upon the following individual(s), properly addressed, by placing same in the United States Mail, first-class, postage prepaid, on this the 21<sup>st</sup> day of February, 2007.

Andrew O. Schiff, Esq.  
Assistant U.S. Attorney  
P.O. Box 197  
Montgomery, AL 36101-0197

By: George L. Beck, Jr.  
GEORGE L. BECK, JR. (BEC011)